

Application No. 10/053,720
Amendment dated July 9, 2003
Reply to Office Action mailed on April 9, 2003

REMARKS/ARGUMENTS

Response is hereby made to the Office Action mailed on April 9, 2003. Claim 1 is amended and new claims 2 through are added.

Rejection under 35 U.S.C. 102(b)

Claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by U. S. Patent No. 3,596,759 to King (King '759) or as being anticipated by U. S. Patent No. 3,886,063 to Friesz (Friesz '063).

Applicant has amended claim 1 to overcome the rejection and has added new claims 2 through 18 to further clarify the invention and to distinguish it over the cited references.

Claim 1 was amended to indicate that the screen is rotatable. None of the cited references discloses or suggests a rotatable screen. Further, nothing in the cited references teaches, discloses or suggests inter alia such elements.

New claim 2 should be allowable because it is depended on allowable claim 1. Further it should be allowable because it discloses a pump for pumping material from the hopper to the separator. Nothing in the cited references teaches, discloses or suggests inter alia such elements.

New claim 3 should be allowable because it is depended on allowable claim 1. Further it should be allowable because nothing in the cited references teaches, discloses or suggests inter alia the elements of this claim.

New claim 4 should be allowable because it is depended on allowable claim 1. Further it should be allowable because it discloses driving means for driving the rotatable screen. Nothing in

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the cited references teaches, discloses or suggests inter alia such elements.

New claim 5 should be allowable because it is depended on allowable claim 1. Further it should be allowable because it discloses means for centrifugally directing material in the separator towards the first outlet. Nothing in the cited references teaches, discloses or suggests inter alia such elements.

New claim 6 should be allowable because it is depended on allowable claim 1. Further it should be allowable because it discloses means for screening out material larger than a predetermined size in the separator. Nothing in the cited references teaches, discloses or suggests inter alia such elements.

New claim 7 should be allowable because it is depended on allowable claim 1. Further it should be allowable because it discloses an apparatus having a rotatable screen that includes apertures of a predetermined size. Nothing in the cited references teaches, discloses or suggests inter alia such elements.

New claim 8 should be allowable because it is depended on allowable claim 1. Further it should be allowable because nothing in the cited references teaches, discloses or suggests inter alia the elements of this claim.

New claim 9 should be allowable because it is depended on allowable claim 8. Further it should be allowable because nothing in the cited references teaches, discloses or suggests inter alia the elements of this claim.

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New claim 10 should be allowable because it is depended on allowable claim 9. Further it should be allowable because nothing in the cited references teaches, discloses or suggests inter alia the elements of this claim.

New claim 11 should be allowable because it is depended on allowable claim 9. Further it should be allowable because nothing in the cited references teaches, discloses or suggests inter alia the elements of this claim.

New claim 12 should be allowable because it is depended on allowable claim 11. Further it should be allowable because nothing in the cited references teaches, discloses or suggests inter alia the elements of this claim.

New claim 13 should be allowable because it is depended on allowable claim 12. Further it should be allowable because nothing in the cited references teaches, discloses or suggests inter alia the elements of this claim.

New claim 14 should be allowable because it is depended on allowable claim 1. Further it should be allowable because nothing in the cited references teaches, discloses or suggests inter alia the elements of this claim.

New claim 15 should be allowable because it is depended on allowable claim 1. Further it should be allowable because nothing in the cited references teaches, discloses or suggests inter alia the elements of this claim.

New claim 16 should be allowable because none of the cited references discloses the step of screening the concrete slurry over a rotating screen to separate out rock material to form a rock

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material stream and sand and light cement slurry stream.

New claim 17 should be allowable because it is dependent on allowable claim 16. Further, it should be allowable because it includes the step of centrifugally directing the rock material stream away from the diluted concrete slurry. Nothing in the cited references teaches, discloses or suggests inter alia the elements of this claim.

New claim 18 should be allowable because it is dependent on allowable claim 16. Further, it should be allowable because nothing in the cited references teaches, discloses or suggests inter alia the elements of this claim.

New claim 19 should be allowable because it is dependent on allowable claim 16. Further, it should be allowable because nothing in the cited references teaches, discloses or suggests inter alia the elements of this claim.

New claim 20 should be allowable because it is dependent on allowable claim 16. Further, it should be allowable because nothing in the cited references teaches, discloses or suggests inter alia the elements of this claim.

Benefit under 35 U.S.C. 119(e)

Applicant claimed the benefit under 35 U.S.C. 119(e) of the United States provisional application number 60/262546 filed on January 17, 2001. The Examiner did not acknowledge that benefit. Applicant respectfully requests acknowledgment of that claim.


In view of the foregoing, Applicant respectfully submits that the application is in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner

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is invited to telephone the undersigned at the telephone number listed below if it would in any way
advance prosecution of this case.

Respectfully submitted,

Dated: July 9, 2003

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